

**Board of Selectmen  
Town of East Windsor  
11 Rye Street  
East Windsor, CT**

**MINUTES OF REGULAR MEETING,  
January 3, 2012 at 7:00 p.m.**

These minutes are not official until approved at a subsequent meeting.

Members Present: Denise Menard, Alan Baker, Dale Nelson, Richard P. Pippin, and James C. Richards  
Members Absent: None  
Others: Kathleen Pippin, Danelle Godeck, Lois Noble, Marie DeSousa, Catherine Cabral, Brian Mahoney, Kevin Chambers, Scott Morgan, Joseph Pelligrini, Catherine Simonelli, Jerily Corso, Joseph Sauerhauser, Chief DeMarco, Deputy Chief Hart, and others  
Press: C. Garfman (Journal Inquirer) and L. Smith (Patch.com)

**I. Call to Order**

First Selectwoman Denise Menard called the Regular Meeting to Order at 7:00 p.m., in the East Windsor Town Hall.

Ms. Menard indicated to everyone that there is an Amended Agenda this evening due to the fact that the Zoning Board of Appeals appointments had some challenges which started late last week and the confusion has just ended before the meeting. The revision indicates the appointment of the Zoning Board of Appeals will be Nolan Davis rather than John Burnham.

**II. Attendance**

Denise Menard, First Selectwoman  
Alan Baker, Deputy First Selectman  
Dale Nelson, Selectwoman  
Richard P. Pippin, Jr., Selectman  
James C. Richards, Selectman

**III. Added Agenda Item**

None.

It was **MOVED** (Pippin) and **SECONDED** (Richards) and **PASSED** (U) that the Board of Selectmen move Agenda Item No. IX. Unfinished Business a. Discussion of MBR (Municipal Budget Requirements) in regards to ECS (Educational Cost Sharing) to

include Brian Mahoney and Kevin Chambers from the State of Connecticut, Department of Education to be discussed before IV. Approval of Minutes.

### **IX. Unfinished Business**

#### **a. Discussion of MBR (Municipal Budget Requirements) in regards to ECS (Educational Cost Sharing) to include Brian Mahoney and Kevin Chambers from the State of Connecticut, Department of Education**

Ms. Menard introduced to the Board Mr. Brian Mahoney, Chief Financial Officer of the State of Connecticut, Department of Education and Mr. Kevin Chambers, who is from the unit responsible for determining MBR and compliance monitoring from the State of Connecticut, Department of Education. Mr. Chambers explained to the Board that MBR (Municipal Budget Requirements) is the minimum amount which is needed to be spent and appropriated to the Board of Education budget. He explained the Federal Government changed the way it would fund State budgets for Education. In the past, the Federal Government would allocate funds to each State and the State was required to fund municipalities through the ECS Grants. There was no requirement to report how the funds are used, the funds go to the Treasurer's Offices and then allocated to the Board of Education. The new way of funding by the Federal Government requires districts to keep track of what is appropriated to education.

Mr. Chambers began explaining the worksheet which was attached to the letter sent by Mr. Brian Mahoney to Dr. Theresa Kane dated August 22, 2011. He indicated the 2010-2011 budgeted appropriation including supplemental appropriations should be \$19,610,314. The SFSF funds included in the 2010-2011 budgeted appropriation was \$782,109, giving a total 2010-2011 budgeted appropriation less district SFSF funds is \$18,828,205. The amount of SFSF funds given to the Town is \$782,109. The 2011-2012 budgeted appropriation including supplemental appropriations is \$19,406,450, taking the maximum resident student deduction of \$98,052, total MBR for 2011-2012 is \$19,512,262. A shortage of \$105,812 is for the 2011-2012 MBR. Mr. Mahoney indicates the Town of East Windsor is in noncompliance in the amount of \$105,812. If it does not comply, it will have two years penalty.

Ms. Menard indicated that there were many people who have come to this meeting that have questions for Mr. Mahoney and Mr. Chambers. She suggested the Board of Selectmen, who have questions first address Mr. Mahoney and Mr. Chambers and then if any audience members have questions, they will be taken.

Board Member James C. Richards had a question regarding the maximum student resident which was answered quickly. Ms. Menard asked the gentlemen when this formula was decided by the State. She was told it was either the last week of May or the beginning of June. It was noted that this was done after the Town of East Windsor's budget was passed. It was asked if this formula would be

changed again. Mr. Chambers and Mr. Mahoney both indicated the formula will be the same for this upcoming year, but may changed the following year.

Mr. Mahoney explained the history of the MBR and the Town of East Windsor dating back to the 2009-2010 budget. Mr. Richards and Ms. Menard indicated the Board of Education budget has been increased every year, including last year when the increase given to the Board of Education was 90% of the increase of the budget and the Town Government portion of the budget was only increased 10% of the increased budget. Therefore, the Town has been funding their education budget, increasing it slightly over the years.

A brief discussion was held.

Ms. Marie DeSousa, Board of Finance Member, addressed Mr. Mahoney and Mr. Chambers about the budget process. She indicated the Town will have to appropriate \$105,000 for the 2011-2012 budget and the upcoming year, the budget will have to begin at the increased figure of \$105,000. She feels that this cripples small towns. The Town Government side of the budget suffers. The Town's infrastructure is falling apart and the Town needs to set aside some funds to start repairing same. When the suggestions of having the teachers take a 5% pay cut, to reduce the Board of Education budget, is not a reality. She also voiced her concerns of having the MBR changes after the deadlines of budgets being accepted. She questioned how towns are supposed to survive. Mr. Mahoney indicated that the State implemented the changes to the formula and that is what is being followed.

Mr. Joseph Pelligrini, Board of Finance Member, inquired what figure should be used when it comes time to discuss the upcoming budget. Should the starting figure be \$19,610,314 or should it be \$19,512,000 including the \$98,000 student resident. The new figure which should be used is \$19,512,000.

A brief discussion was held.

Ms. Menard inquired when does the Town have to comply with the State of Connecticut, Department of Education and can the \$105,000 be given in increments rather than a lump sum. She was told the town can pay the \$105,000 in increments; however, the money has to be used for the budget year 2011-2012. He would suggest this money be paid as soon as possible. Ms. Menard asked Ms. Simonelli what the Board of Education has discussed or voted to do in regards to the MBR issue. Ms. Simonelli indicated that no action has been taken by the Board of Education; the State decreed the money is owed to the Board of Education and the Board does not have any input in regards to this matter.

It was **MOVED** (Pippin) and **SECONDED** (Nelson) and **PASSED** (U) that the Board of Selectmen recommends to the Board of Finance the funding of \$105,812 MBR.

It was **MOVED** (Pippin) and **SECONDED** (Richards) and **PASSED** (U) that the Board of Selectmen return back to order of the Agenda to Agenda Item No. IV. Approval of Minutes.

**IV. Approval of Minutes**

**A. Regular Meeting Minutes of December 20, 2011**

It was noted that in the heading of attendees and on Page 9, the misspelling of Barbara LaMay's name. It was spelled LeMay and should have been LaMay.

It was **MOVED** (Nelson) and **SECONDED** (Baker) and **PASSED** (U) that the Board of Selectmen approves the minutes of December 20, 2011 Regular Meeting, as amended.

**B. Special Meeting Minutes of December 28, 2011**

It was **MOVED** (Nelson) and **SECONDED** (Richards) and **PASSED** (U) that the Board of Selectmen approves the minutes of December 28, 2011 Special Meeting, as presented.

**V. Public Participation**

Ms. Kathleen Pippin of Woolam Road addressed the Board. She thanked Ms. Marie DeSousa for her input during the MBR portion of this meeting. She did a great job expressing her position.

Ms. Lois Noble addressed the Board. She wanted to report to the Board that the American Heritage River Commission hosted a public hike last week and approximately 174 people attended. It was a great hike and it went very well!

**VI. Communications**

None.

**VII. Selectman's Reports**

**a. Denise Menard, First Selectwoman**

Ms. Menard indicated that due to the holidays, she does not have a report to give to the Board this evening.

**b. Alan Baker, Deputy First Selectman**

Mr. Baker indicated he did not have a report for the Board due to the holidays and no meetings were held last week. He did want to mention the American Heritage River Commission hike as well. He indicated that 174 people signed the board, but there were well over 200 people who attended the hike. He mentioned an 87 year old woman, Gerta, who hiked the trails. She is a great inspiration! He also wanted to thank the Norton family for allowing the group to use their land for hiking and the group was able to clean the trail from the storm debris before the hike took place.

**c. Dale Nelson, Selectwoman**

Ms. Nelson commented meetings she attended on Wednesday, December 28, 2011, which were the Pension Committee, Board of Selectmen Special Meeting and the Annual Town Meeting. She gave a brief summary of the meetings she attended. She indicated there is a meeting tomorrow evening of the Capital Improvement Committee which she will be attending.

**d. Richard P. Pippin, Jr., Selectman**

Mr. Pippin mentioned he did not attend any meeting last week due to the holidays, but he did attend the Annual Town Meeting.

He remarked about the piles storm debris on Woolam Road and how those piles are disappearing slowly.

**e. James C. Richards, Selectman**

Mr. Richards reminded everyone to RSVP to the Economic Development Commission Meet and Greet Local Officials and State Officials on January 26, 2012. It is not required to RSVP but it is helpful when trying to plan an event. Ms. Menard indicated that four out of five of the Selectmen will be in attendance.

**VIII. Board and Commission Resignations and Appointments**

**a. Resignations: None**

**b. Re-Appointments:**

**Veterans Commission**

**Scott Morgan (R), Regular Member, 4 year term expiring 01/01/2016**

It was **MOVED** (Pippin) and **SECONDED** (Richards) and **PASSED** (U) that the Board of Selectmen approves the re-appointment of Mr. Scott Morgan, (R), as a Regular Member to serve a 4 term expiring January 1, 2016.

**c. New Appointments:**

**Board of Assessment Appeals  
4 year term expiring 11/19/2013**

- 1. Brian Turley (R)**
- 2. David King (D)**

It was **MOVED** (Nelson) and **SECONDED** (Richards) and **PASSED** (U) that the Board of Selectmen approves the appointment of Mr. Brian Turley (R) and David King (D) as a Regular Members to serve a 4 year terms expiring November 19, 2013.

**Zoning Board of Appeals**

- 1. Scott Morgan (R), Regular Member, 4 year term expiring 11/19/2013**
- 2. Sharon Tripp (D), Alternate Member, 4 year term expiring 11/19/2013**
- 3. Nolan Davis (R), Alternate Member, 4 year term expiring 11/19/2013**

Ms. Menard explained why there was a change to the agenda, particularly with the subject of new appointments for the Zoning Board of Appeals. She indicated last week she checked with the Town Clerk's Office as to the breakdown of the parties allowed pursuant to Connecticut General Statutes 9-167(a). A copy of that statute was given to all Board Members for their review.

A brief discussion was held.

It was **MOVED** (Pippin) and **SECONDED** (Nelson) and **PASSED** (U) that the Board of Selectmen approves the appointments of Scott Morgan (R), Regular Member to serve a 4 year term expiring November 19, 2013, Sharon Tripp (D), Alternate Member to serve a 4 year term expiring November 19, 2013, and Nolan Davis (R), Alternate Member to serve a 4 year term expiring November 19, 2013.

**d. Board and Commission Current Vacancy List**

The list was given to all the Board Members for their review. A brief discussion was held regarding the list and how the list is maintained.

**IX. Unfinished Business**

**b. Discussion of Establishing a Municipal “Building Code Board of Appeals”**

Ms. Menard indicated at the last meeting, a discussion was held regarding establishing a Municipal Building Code of Appeals Board. Ms. Menard had given all Board Members a draft of the ordinance in their packets to review. Samples from surrounding towns of their Municipal Building Code of Appeals Board were previously given at the last meeting for their review for discussion. Mr. Pippin commented it should be kept simple as possible and the terms of the members should be staggered. It was ultimately decided to have three members for four years and two members for two years. Ms. Menard indicated she can make the change and bring the final draft of the ordinance to the next meeting.

A brief discussion was held.

It was **MOVED** (Pippin) and **SECONDED** (Richards) and **PASSED** (U) that the Board of Selectmen approves the Building Ordinance to establish a Building Code Board of Appeals as amended and forwards same to a Town Meeting.

**b. Ordinance Establishing “Permanent Shared Services Committee”**

Ms. Menard gave to all Board Members and one to Ms. Cathy Simonelli, Board of Education Member who was in attendance at the meeting, a copy of the draft of the Ordinance to establish a Permanent Shared Services Committee. She indicated at the last meeting there was a lengthy discussion regarding the one defined at large member and that member not being recommended from the Board of Selectmen. The Committee shall consist of two members from each Board of Education, Board of Finance, and Board of Selectmen, who will then recommend an at large member. She read through the ordinance and a discussion was held.

It was suggested the at large member be from the Police Commission; however, this Committee is being designed to be an advisory committee. The Committee will be recommending certain ideas to the Board of Selectmen who will seek input from other Boards or Commissions; such as, the Police Commission. It was suggested that the recommendations should go to the Board of Selectmen and/or Board of Education or other town Boards. The political breakup of the Board is ridden by the Charter.

It was **MOVED** (Nelson) and **SECONDED** (Richards) and **PASSED** (U) that the Board of Selectmen recommends to establish of Permanent Shared Services Committee, as amended, and recommends same to a Town Meeting.

**X. Budget Matters**

Ms. Menard gave a copy to all Board Members copies of two documents entitled “Town of East Windsor 2011-2012 Budget Transfer” and “Transfer/Appropriation Request Form”. There is one transfer listed on the document. The transfer is transferring monies into the Police Commission-Office Supplies from 2009 WHPT Fire Truck Interest in the amount of \$50.00. The explanation of the transfer is the account line has a zero beginning balance and there is an invoice for supplies pending.

A brief discussion was held.

It was **MOVED** (Baker) and **SECONDED** (Pippin) and **PASSED** (U) that the Board of Selectmen approves the transfer of \$50.00 to Account No.: 1-01-15-2144-6-610-0000-0 entitled Police Commission – Office Supplies from Account No.: 1-01-60-9500-9-998-9011-0 entitled 2009-WHPT Fire Truck Interest, as presented, and recommends to the Board of Finance, and recommend to a town meeting if necessary.

**XI. New Business**

**a. Approval of Dial-A-Ride Municipal Operating Contracts**

Ms. Menard indicated there are two minor changes in the Dial-A-Ride Municipal Operating Grant Contracts between Greater Hartford Transit District for Fiscal Year 2012 Dial-A-Ride operating funds. Ms. Menard indicated explained the two minor changes.

It was **MOVED** (Baker) and **SECONDED** (Pippin) and **PASSED** (U) that the Board of Selectmen approves the amended Dial-A-Ride Operating Funds Grants pursuant to the December 19, 2011 Memorandum and authorizes First Selectwoman Denise Menard to sign any and all documents pertaining to this grant in behalf of the Town of East Windsor.

**b. Tax Refunds**

Ms. Menard discussed two Applications for Refunds requests from the Tax Collector dated December 20, 2011 and December 27, 2011 wherein the Tax Collector is requesting under Connecticut General Statutes Section 12-129 a refund from the Town of East Windsor in the amounts totaling \$845.70.

It was **MOVED** (Pippin) and **SECONDED** (Baker) and **PASSED** (U) that the Board of Selectmen approves the tax refunds in the amount of \$845.70 pursuant to the tax collector’s requests of December 20, 2011 and December 27, 2011.



**XII. Executive Session Continued (pursuant to Connecticut General Statutes Section 1-200(6) Personnel**

It was **MOVED** (Richards) and **SECONDED** (Baker) **PASSED** (U) that the Board of Selectmen enters into Executive Session to conduct a hearing and to preserve the confidentiality of records to include Police Chief DeMarco and Policy Deputy Chief Hart.

The Board entered into Executive Session at 8:08 p.m.

It was **MOVED** (Pippin) and **SECONDED** (Nelson) and **PASSED** (U) that the Board of Selectmen terminates Executive Session enters into Public Session at 9:12 p.m.

No action taken.

**XII. Adjournment**

The meeting was adjourned at 9:13 p.m.

Respectfully Submitted,

Denise M. Piotrowicz  
Recording Secretary